

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

CAROLYN PERLIN, individually, and  
on behalf of all others similarly situated,

Plaintiff,

v.

TIME INC., a Delaware Corporation,

Defendant.

Case No. 2:16-cv-10635-GCS-MKM

Hon. George Caram Steeh

**STIPULATION AND ORDER TO AMEND  
MOTION TO DISMISS BRIEFING SCHEDULE**

This Stipulation is entered into by and among Plaintiff Carolyn Perlin (“Plaintiff”) and Defendant Time Inc. (“Time” or “Defendant”) (collectively, the “Parties”), by and through their respective counsel.

WHEREAS, on February 19, 2016, Plaintiff filed the Class Action Complaint and Demand for Jury Trial (the “Complaint”).

WHEREAS, on February 26, 2016, Time waived service of summons.

WHEREAS, on May 6, 2016, Time filed its Motion to Dismiss Plaintiff’s Class Action Complaint and Demand for Jury Trial (the “Motion to Dismiss”).

WHEREAS, pursuant to the applicable rules, Plaintiff’s current deadline to file her opposition to Time’s Motion to Dismiss is May 27, 2016.

WHEREAS, on May 16, 2016, the Supreme Court of the United States issued

its decision in *Spokeo, Inc. v. Robins* (“*Spokeo*”).

WHEREAS, Defendant believes that the Supreme Court’s decision in *Spokeo* further warrants dismissal of the Complaint.

WHEREAS, Plaintiff does not believe that the Supreme Court’s decision in *Spokeo* provides a basis to dismiss the Complaint.

WHEREAS, on May 17, 2016, counsel for Defendant and counsel for Plaintiff conferred regarding how best to address whether and to what extent *Spokeo* affects Defendant’s arguments that Plaintiff’s Complaint should be dismissed.

WHEREAS, the Parties believe that the best and most efficient way for the Parties to present the Court with their respective positions and arguments on Defendant’s Motion to Dismiss, including what effect *Spokeo* has on that motion, is for Defendant to file a supplemental brief addressing *Spokeo*; Plaintiff to file one opposition brief that responds to the arguments set forth in both Defendant’s initial and supplemental briefs; and Defendant to file one reply brief that responds to Plaintiff’s opposition brief.

WHEREAS, accordingly, the Parties agree, and respectfully request that the Court enter an order modifying the Motion to Dismiss briefing schedule as follows:

- Defendant shall have until May 31, 2016 to file a supplemental brief of no more than 10 pages addressing the limited issue of how the Supreme Court’s decision in *Spokeo* affects Defendant’s position that Plaintiff’s complaint should be dismissed;
- Plaintiff shall have until June 27 to file a combined opposition brief of no more than 35 pages responding to both Defendant’s initial brief filed on May

6, 2016 and its supplemental brief addressing *Spokeo*; and

- Defendant shall have until July 11 to file a reply brief of no more than 12 pages responding to Plaintiff's opposition brief.

WHEREAS, the instant request is made in good faith and not for undue delay or any improper purpose.

**IT IS SO STIPULATED**

Respectfully submitted,

Dated: May 19, 2016

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Dated: May 19, 2016

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*Counsel for Plaintiff Perlin and the putative  
class*

IT IS SO ORDERED.

Entered: May 20, 2016

s/George Caram Steeh  
HON. GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE